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SUBJECT: Youth Activist Gets Two Years Restricted Freedom

REF: Minsk 448

11. SUMMARY: After a six-day postponement, the trial of Malady Front activist and anti-Lukashenko graffitist Artur Finkevich concluded on May 10. Although Finkevich had been facing up to twelve years in prison, the judge sentenced Finkevich to two years of restricted freedom. During two days of hearings, the government arrested several Finkevich supporters and prevented journalists from covering the verdict. END SUMMARY.

12. The trial of Malady Front activist Artur Finkevich commenced on May 4 at the Pervomaisky District Court in Minsk. Finkevich was arrested on January 30 for spray-painting "We want a new one [president]" and other anti-Lukashenko graffiti on buildings in Minsk. Authorities charged Finkevich with malicious hooliganism. In April, authorities added a large-scale property damage charge, claiming Finkevich inflicted USD 16,370 in damages on one wall alone. If convicted, Finkevich could have been sentenced to up to 12 years in prison. Many opposition activists consider the charges politically motivated.

13. Poloffs attending the hearing on May 4 witnessed two-dozen youth in front of the Pervomaisky courthouse trying to gain access to the courtroom that was already full of reporters, supporters, and the prosecutor's witnesses. Judge Viktoriya Zaitseva read the charges, to which Finkevich pleaded not guilty. Finkevich admitted that he wrote graffiti on 10-15 buildings and even pointed out the places on a map for the Prosecutor. However, he claimed he was expressing his political opinion and considered the charges absurd. Judge Zaitseva ruled that the damage estimate was exaggerated and postponed the hearing to May 10 so that the housing authority could obtain proper documentation.

14. As Poloffs left the courthouse, five Finkevich supporters were marching in single file in protest. Journalists were taking pictures while BGKB plainclothes officers and OMON riot police were videotaping not too far away. Independent online news source Belapan later reported that OMON officers arrested eight out of dozens of supporters holding portraits of Finkevich outside the courthouse. Those arrested included Aleksei Kozulin (presidential candidate Aleksandr Kozulin's nephew), Aleksandr Reznikov, Yury Tolstoi, Andrei Ignatchik, Nadezhda Baturo, Kristina Shatikova, and journalists Natalya Volokido and Tatiana Snitko. The two journalists were released and Shatikova was fined USD 720. The rest were tried immediately at the Pervomaisky courthouse and sentenced to five days in jail for holding an unsanctioned demonstration.

15. On May 10 Finkevich's hearing was scheduled to resume at 10:30 a.m. Unlike May 4, there were no protestors outside the courthouse. Poloffs observed about a dozen journalists and cameramen who were prevented by guards from entering the courthouse. When journalists demanded to speak with the court administration, the guards said that the administrator was absent.

At 10:45 a.m. several journalists and United Civic Party (UCP) leader Anatoly Lebedko signed the courthouse's complaint book. Later, during a recess, police detained two journalists, Nataliya Valakida of the UCP Press Service and Tatsyana Snitko of "Nasha Niva" a half an hour. Following the recess, the judge sentenced Finkevich to two years of restricted freedom ("khimii").

¶7. In a similar case involving dubious charges, Zubr youth leader Nikita Sasim on May 12 was sentenced in Baranichsky Regional Court to three months arrest for draft evasion. Sasim had received a waiver from military service due to head injuries caused by police during a peaceful protest in September 2005 (reftel). Prior to sentencing, Sasim spent three months in investigative detention.

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